Welcome to the Washington State Liquor Control Board (WSLCB) Licensing Briefing

At the WSLCB, our most important task is to create a cooperative relationship with you through education. The WSLCB wants to help you succeed in liquor law compliance and assist with public safety in your communities.

Specific Class of License Beer/Wine Gift Delivery

- You can not hold any other type of liquor license.
- Allows delivery of beer and or wine in unopened original containers, in conjunction with the gifts or flowers.
- Your primary business must be in retail sale of gifts or flowers.

RCW 66.24.550

WAC 314-02-110





Public Safety

Public safety is our common goal. Four public safety issues that are very important are:

Minors

- Selling or furnishing tobacco to a minor (under age 18)
- Selling, furnishing, allowing possession or consumption of alcohol by a minor (under age 21)
- Allowing minor(s) to frequent an age restricted area or premises

Over service

- Sales to apparently intoxicated persons
- Allowing possession of alcohol by apparently intoxicated persons
- Allowing consumption of alcohol by apparently intoxicated persons

Disorderly Conduct

- Allowing fights/not calling police
- Owners or employees intoxicated on premises
- Violations of RCW 69, 69A or 70 Criminal conduct of owner, employees and/or patrons

Statistics Show

The most common violations and complaints involve:

- Sales of liquor to apparently intoxicated persons
- Sales of liquor to persons under 21 years of age

Violations of Public Safety

- If you violate public safety laws or rules, administrative action may be taken against your liquor license. Administrative action could result in a monetary penalty, suspension, or cancellation of your liquor license privileges.
- BE SAFE. Please make sure that your staff is trained in liquor laws and company policy.

New Licensee Program



The WSLCB developed this program to provide technical assistance shortly after you receive your new license.

WSLCB officers will visit your premises to:

- Check your required signs
- Answer any questions
- Provide materials
- Review operations, especially those involving public safety

Sales to Apparently Intoxicated Persons

A licensee or employee may not supply or sell liquor to any person apparently under the influence of liquor.

RCW 66.44.200

Over Service

Over service (OS) is the term used when patrons are showing apparent signs of intoxication and being sold or given alcohol by your employees.

Signs of Intoxication

Signs of intoxication should be apparent to the point where they are easily recognized.

Typical signs:

- Carelessness or clumsiness with money
- Unsteady walking
- A strong odor of alcohol



Signs of Intoxication

- Behavior changes Watch for customers who lose their concentration and train of thought during conversation.
 Look for bobbing heads and drooping eye lids.
- Speech patterns Talk to your customers and watch for these signs of intoxication:

Loud talking
Bragging
Arguing
Swearing



Complaining

Slurred speech
Talking slowly and
deliberately

Additional Information

What to do?

If a person is showing signs of intoxication what do you do?

Contact your manager for company policy.

Under Washington State law you must not sell or supply alcohol to the patron.

MINOR RESTRICTIONS AND AGE VERIFICATION



Sales to Minors

 No sales of alcohol to persons under 21 years of age.

Keep alcohol out of the hands of kids – It saves lives!

 No sales of Tobacco to persons under 18 years of age.

RCW 66.44.270

Minors and Alcohol

No Exceptions!



Persons under 21 years of age can't purchase, possess, or receive alcohol.

You and your employees must make sure that anyone that is buying or possessing alcohol is 21 years of age or older.

RCW 66.44.270

Youth Access to Alcohol

More than 90% of twelfth graders report that alcohol is "very easy" or "fairly easy" to get.

Don't be an easy target for minors!

Source: Institute of Medicine National Research Council of National Academies

Company Policy on Age Verification:

- Your company policy will dictate the success of your business.
- Your company policy should direct your employees how and when to verify age.
- The only sensible way to identify minors is to check ID of youthful appearing people each and every time.

Checking ID

 To verify a person's age, your company policy should direct your employees to check ID.

You should be very strict on this policy!

 When company policy directs an employee to check ID, only state approved ID's are acceptable.



Checking ID

These are the only state approved acceptable ID's. You may restrict this list, but may not accept additional forms of ID.

- Drivers License, ID card, or Instruction Permit issued by any state or Canadian Province
- Valid Washington Temporary Driver's License
- US Military ID
- Merchant Marine ID
- Official Passport of any nation
- Washington State Tribal Enrollment Card



ACCEPTABLE IDENTIFICATION

Identification MUST Show:
Date of Birth, Signature (except US Military ID – see below), Photograph of Bearer and ID Expiration Date

- Driver's License, Instruction Permit, or I.D. Card Issued by any U.S. State
- Driver's License, Instruction Permit, or I.D. Card Issued by any Canadian Province
- 3. Valid Washington State Temporary Driver's License
- U.S. Armed Forces I.D. Card (Encrypted signature acceptable.)
- Merchant Marine I.D. Card (Issued by U.S. Coast Guard.)
- 6. Official Passport
- Washington State Tribal Enrollment Card (No expiration date required.)

LIQ 317-60-7/05

Requirements for All ID's

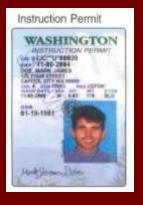
- Photo of person
- Date of birth (DOB)
- Signature of person (exception: Military ID)
- Expiration date (exception: Tribal ID)
 It is illegal to accept an expired ID

Samples of ID's















U. S. Armed Forces Geneva Conventions ID Cards

— New

Old →



What is NOT Acceptable ID?

Any card that uses "resident" in the title of the card is not good for cigarette and alcohol purchases.

Examples:

- Alien Resident card or
- Resident of Washington card
- Other ID's NOT acceptable are:
- Birth Certificates
- School or work ID's
- Social Security cards
- Federal Immigration cards
- Voter Registration or Visa cards





How to Check ID

- Now that your company policy has directed your employee to check ID, what is next?
- Your employees need to know how to check ID's properly. Most violations of underage laws occur by misreading ID's.
- Remember that purchasing alcohol is a privilege, not a right. The difference is, patrons have to prove their age to your employees before they can buy, if asked to do so.

Proper ID Checking

What does your company policy say about the proper way to check an ID?

What is the best way to check an ID?

 To check an ID properly employees must use the features of the ID.

Proper ID Checking

Have patrons remove their ID and hand it to the employee.











Checking ID

- When your employee sees a vertical ID, be very careful.
 The ID was issued when the person was under 21.
- Look first to the left of the picture and find out when the person will be 21. If the person is not old enough, stop, deny the sale and have your employee follow company policy.



Checking ID

If the date of birth says the person is old enough, you now need to check the following:

- Expiration date If the ID is EXPIRED, stop, deny the sale, and follow company policy.
 (Only exception is expired WA ID with valid paper temporary.)
- Picture If the picture is NOT the person presenting the ID, stop, deny the sale, and follow company policy.
- Physical description Verify features.
- Ultraviolet light will show hologram of the state seal.

Checking ID - Old Format

In Washington we have the "old format" that will be around until the end of 2006. On the old format ID there is a yellow strip through the middle of the ID.

If there is any writing in the yellow strip be sure that your employees check the information. The information will tell your employees when that person turns 21.



Checking ID – Old Format

If the person is *NOT OLD ENOUGH*, stop, deny the sale, and have your employee follow company policy.

If the date of birth says the person is old enough you now need to check the following:

- Expiration date If the ID is EXPIRED, stop, deny the sale, and follow company policy.
- Picture If the picture is NOT the person presenting the ID, stop and deny the sale, and follow company policy.
- Physical description Verify features.



Checking ID

You will receive acceptable ID's that have holes punched in them. These ID's are legal as long as the punch does not obscure critical information like the date of birth, expiration date, physical description, photo or signature.

If there are any concerns about any ID

STOP!

Your company policy needs to direct your employees what to do next.

Licensee Certification Cards

A licensee certification card is a voluntary tool that is available for your business. If a customer comes into the premises and presents an acceptable ID, showing them to be over 21, but you have doubts, a certification card can be used.

- You can get the cards at local liquor stores or agencies free.
- When correctly completed, they provide legal protection from criminal and administrative liability for the seller and licensee.
- If you fill one out, file it alphabetically, and keep it on your premises for inspection by any requesting law enforcement officer.

RCW 66.20.190 WAC 314-11-030

To Use Licensee Certification

- Check box 1-6 for type of ID presented.
- •Fill out ID number and request information.
- •Employee fills out the top portion.

Cards

Front side

LIQ 579-60 (13.04)

Person
presenting
the ID
fills out the
bottom
portion
and
signs name

LICENSEE'S CERTIFICATION CARD

Provided by RCW 66.20.190 of the Washington State Liquor Act.

As proof of my age to purchase liquor I present for examination an identification card issued to me by: Expired Washington State Driver's License Together with 1. Driver's License. Instruction Permit. Valid Temporary Washington State Driver's License Issuing State or Province of Canada : Number: 2. United States Armed Forces Identification Card. Issuing Service: ; Card or Service Number: 3. Merchant Marine I.D. Card Issued by United States Coast Guard.

Social Security No. 4. Liquor Control Authority Card of Identification. Issuing State or Province of Canada _____; Card Number:___ 5. Washington State Department of Licensing Identification Card or Identification Card issued by any State or Province of Issuing State or Province _____; Number: _____ 6. Passport. I understand that pursuant to the provisions of RCW 66.20.200, I am subject to a fine of not less than \$250 nor more than \$1,000; or not less than 25 hours of community service; or imprisonment for up to 90 days; or any combination of the penalties for any false statement made on this card. I do hereby certify that I am of legal age to purchase liquor and that the card of identification as described above is bona fide and was issued to me by an authorized official. Print Name Date and time

Employee checks the signature on the card of identification with the signature on the certification card.

To Use Licensee Certification Cards

Rear side

INSTRUCTIONS TO LICENSEES

Under the provisions of RCW 66.20.180 a retail licensee has the right and responsibility, before serving, to require persons of questionable age and appearance to prove they are of legal age to purchase liquor.

To obtain the protection afforded by RCW 66.20.210, you must require the person presenting this card of identification to complete the reverse side of this card. You must also complete the certification below.

The card must be officially issued, show the person's correct age, and bear his/her signature and photograph. By law the only acceptable cards of identification are: 1. Driver's License or Instruction Permit issued by any State or Province of Canada. 2. United States Armed Forces ID Card, active duty, reserve, retired and dependents. 3. Merchant Marine ID Card issued by the United States Coast Guard. 4. Official Card of Identification issued by the Liquor Control Authority of any State or Province of Canada. 5. Identification Card issued by the Washington State Department of Licensing or Identification Card issued by any State or Province of Canada. 6. Official Passport issued by any Nation. An expired Washington State Driver's License together with valid temporary Washington State Driver's License is considered an acceptable Washington driver's license.

WASHINGTON STATE LIQUOR CONTROL BOARD

LICENSEE'S OR EMPLOYEE'S CERTIFICATION

I hereby certify that the card of identification submitted was examined by me and I have checked the date of birth, and compared the photograph thereon with the person presenting said card. I have compared the signature on this card with that on the card of identification, and I am satisfied that the card properly belongs and relates to the person presenting it.

(To be signed by person who has checked card of identification)		Print Name	
Date of birth shown on card of identification:	Time:	Date:	
WARNING: File this card on the premises on the day it is signed as prescribed by RC	CW 66.20.190.		
LIQ 879-00 (11/96) (Back)			

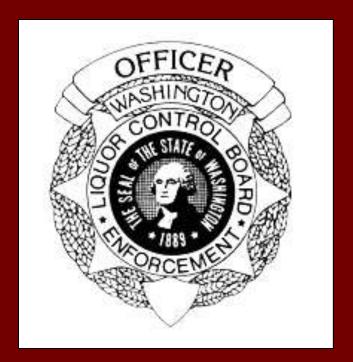
Employee

- 1. Print and sign name.
- 2. Print DOB from ID presented.
 - 3. Print time and date.

Licensed Business Open to Inspection

Your licensed premises is open to inspection by WSLCB or local law enforcement anytime someone is in the premises.

RCW 66.28.090



Hours of Operation



The law allows liquor to be sold and delivered between 6 am and 2 am, seven days a week.

After 2 am no one may sell or deliver from the licensed premises.

Employees can clean up after 2 am.

Local governments may pass ordinances establishing earlier closing hours.

Record Keeping

All Licensees are required to keep records that clearly reflect all financial transactions and the financial condition of the business for two years.

What to keep

- Purchase invoices
- Bank statements and cancelled checks
- Accounting and tax records
- Records of all financial transactions related to the licensed business

Authorized Sources to Purchase Alcohol Inventory

Where to purchase?

Gift Delivery: Beer/Wine from licensed distributors or domestic Washington breweries or wineries

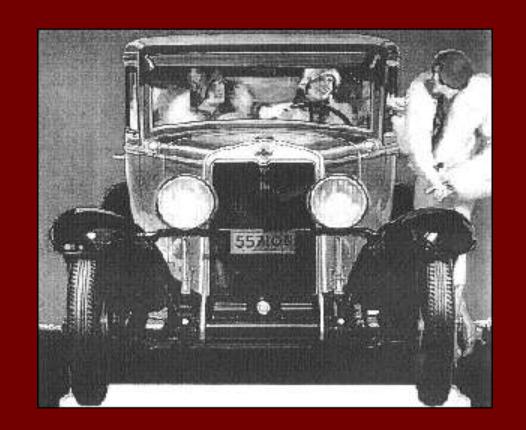
You can not purchase liquor at any retail premises. No liquor can come onto your premises unless it was purchased from an authorized wholesale source within the state of Washington.

Exception: Alcohol brought into the premises with a Banquet Permit or Special Occasion License.

WAC 314-16-110 and WAC 314-16-160

Drive-In and Curb Service Prohibited

You may not sell or serve liquor to customers by means of "drive-in" or "curb service", which includes drive through windows.



True Party of Interest

Any person that has substantial interest in the licensed premises must be on the license. A substantial interest includes any of the following:

- Receipt of, or right to receive, more than 10% of gross sales of any kind from the premises
- An investment in licensed premises of at least \$10,000
- Ownership of issued or outstanding stock in the business constituting more than 10%

WAC 314-07-080

Retail / Non-retail Relationships

When you do business with a beer / wine distributor these rules apply:

- All purchases must be paid for at the time of delivery.
- The distributors can bring the alcohol into your premises, stock the cooler and price the product.
- You can receive point of sale items for free. These items are posters, neon lights, and other items without value other than advertising.

Retail / Non-retail Relationships

- You can not receive equipment free from the distributors. Items like coolers, dispensing equipment and lights must be paid for at fair market value. They can not rent or lend any equipment, fixtures or property of any kind to you and vice versa.
- You must pay for any items that have a value or use, other than brand advertising. These items include items like coats, hats, napkins, coasters and glasses.

RCW 66.28.010

WAC 314-12-140

Retail / Non-retail Relationships

Methods of Payments

- Cash or checks
- Prepaid accounts. Both parties must keep accurate records of prepaid accounts to ensure a cash deposit is not overextended.
- Credit/debit cards and electronic funds transfer (EFT); the transaction must be voluntary with both parties. The sale must be initiated by an irrevocable invoice. Each party pays their banking costs. Both parties must maintain records of the transaction. The transaction must be initiated by the manufacturer or distributor no later than the first business day following delivery.

Sale of Liquor to Cover Cost of Acquisition

- When you sell alcohol, you must charge at least the amount that it costs you to serve it.
- Alcohol can not be used as a loss leader!

WAC 314-52-114

WAC 314-11-085



Licensee Responsible for Acts of Employees

As the owner of the business you are responsible for every activity that occurs. You do not have to be present when a problem occurs to be responsible!

TRAINING, SUPERVISION and GOOD company policies are the keys. Give your employees the chance to succeed.



No Drinking on Duty by Licensee or Employees

- No licensee or employee may drink alcohol while working.
- No employee or owner may be on their licensed premises while showing signs of intoxication, working or not.



WAC 314-11-015 RCW 66.24.320 RCW 66.24.400

No Substitution of Drinks

- When a customer orders a specific brand of alcoholic drink, you must serve the requested drink. If you do not have the requested brand inform the customer what they will be receiving.
- If a customer is showing signs of intoxication and orders alcohol, do not substitute. Let the customer know that they are getting a nonalcohol beverage.



WAC 314-11-080

Advertising

Trade Name – <u>WAC 314-52-110</u>
 When you advertise you must include your approved

trade name as it appears on your liquor license.

- No Joint Advertising WAC 314-52-090
 - The Beer/Wine Distributors can not induce you to advertise their brands. The Beer/Wine Distributors can not give you money, treats, services, or extra product to cover the cost of advertising.

Free WSLCB ID/OS Training Classes Available

The WSLCB can train you and your employees in conducting responsible liquor and tobacco sales. We can train at your location or at our offices. Please contact your local office to make arrangements.



Display of License Master License with Liquor Endorsements



Your master license must be displayed on the premises so that it is available for inspection by WSLCB and other law enforcement agencies. Most businesses display the license behind the counter.

RCW 66.24.010

WAC 314-11-060 WAC 314-12-030

Fetal Alcohol Syndrome (FAS) Signs Required

In your premises this sign must be posted in plain view.

The FAS sign must be posted at the main entrance, and/or
At each point of sale, and/or
On each permanent display containing alcohol.

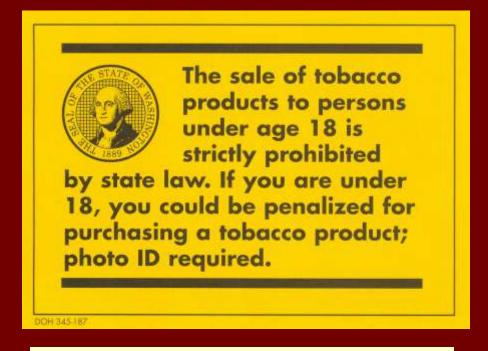


WAC 314-11-060

Get extra signs from the WSLCB Enforcement Office.

Tobacco Sign Required

- If you are licensed to sell tobacco products you must display this sign at each point of sale.
- If you have a machine dispensing tobacco products this sign must be posted on it. All machines must be in an area restricted from persons under 18. The machines must be over 10 feet from the entrances.



Get extra signs from the WSLCB Enforcement Office.



Minor Employment

Beer Wine Gift Delivery

- Employees 18-20 years old may handle alcohol products if another employee that is over 21 years old is supervising.
- Employees under 18 years old can not handle any alcohol product, including stocking or selling.

RCW 66.44.340

WAC 314-11-040

Bagging Rule



There is NONE

Alcoholic products do not have to be put in bags when you sell them.

Changes Requiring WSLCB Approval

Sole Proprietors:

Changes in marital status must be reported to the WSLCB.

This does not apply to corporate officers / stockholders.

Corporations:

If the principal officers of the corporation change. Principal officers generally are President, Vice President, Secretary and Treasurer.

Anytime more than 10% of the outstanding issued stock is sold to a single entity; or an entity gains more than 10% of the issued stock, accumulatively.

WAC 314-07-080

Changes Requiring WSLCB Approval

 Change of Location – When you want to move your business to another location you need to apply to the WSLCB.

WAC 314-07-085

 Trade Name – After you are licensed and want to change your Trade Name you need to apply to the WSLCB.

WAC 314-07-090

Assumption of License

When you **sell your business** to another person or entity they must apply to the WSLCB for a new license.

No one can operate on your license except you.

This includes if you are a sole proprietor and decide to incorporate, establish a LLC or go into a partnership.

RCW 66.24.025

WAC 314-12-070



Banquet Permits

- A banquet permit allows your licensed premises to be used by private individuals and groups if you wish.
- The permit allows private groups to bring alcohol on to your premises. You may charge a corkage fee.
- If the permit is to be active at the same time as the general public is in your premises, the permit area must be segregated from the general public.
- There is no selling of alcohol on a banquet permit.
- You are responsible for violations.

+				
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WAC 314-18



- This is a license for a non-profit group to sell alcohol at specific time, date and place.
- The license is \$60.00 per day per location.
- The application process is normally 45 days.
- Minors will not be allowed in your alcohol consumption area.





- All alcohol is an individual serving for on premises consumption.
- With approval, beer/wine can be sold to go, in original containers.
- All proceeds from the sale of alcohol must go directly back into the non-profit organization, except for reasonable operating costs of actual services performed.
- The WSLCB may request documents to verify the organization is a bona-fide nonprofit, who the true party(ies) of interest are, and that the organization meets the guidelines in WAC 314-05-020 and 025.
- All spirituous liquor must be purchased from a Washington state-run or contract store.



- Beer and wine must be purchased at retail or from a beer or wine distributor. Breweries, wineries and out of state breweries and wineries holding a certificate of approval license may donate alcohol to special occasion license holders that are 501 (C) (3) charitable organizations.
- Alcohol manufacturers and importers and distributors may provide advertising, pouring, or dispensing of beer or wine at a beer or wine tasting exhibition or judging event. They may not provide money, goods, or services to special occasion licensees.
- Officers, directors, and/or stockholders of the organization may not have an interest in a manufacturer, importer, or distributor of alcohol.



If the special occasion event is to be held at liquor licensed premises the special occasion function must be held in an area separate from areas open to the public, and the licensed premises' liquor <u>cannot be sold or served</u> in the same area(s) as the special occasion license function.

- The liquor licensee cannot charge for the liquor purchased by the special occasion licensee for service at the special occasion event, but can charge for room usage, services etc.
- The liquor licensee must sign the special occasion application giving permission for the special occasion licensee to bring alcohol onto the premises.
- Special occasion licenses will not be issued for use at premises whose liquor license will be suspended on the date(s) of the scheduled event.

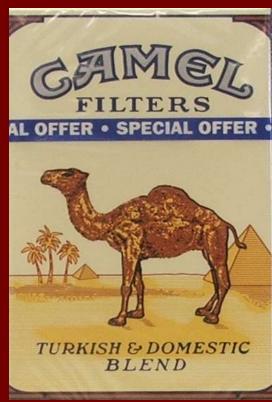
RCW 66.24.320, RCW 66.24.380, WAC 314-05-020, WAC 314-05-025, WAC 314-05-030

Rules for tobacco retailers:

Other Tobacco Product (OTP) includes cigars, chewing tobacco and any other products that contains tobacco but is not a cigarette.

- If you do not sell cigarettes but sell OTP you must get the tobacco license. Contact Washington State Department of Revenue to get the license.
- You must have a tobacco retailers license. The tobacco license also includes a license to sell OTP.

RCW 82.24.500 and RCW 82.24.090





Rules for cigarette and OTP retailers:

- All products must be purchased from a licensed Washington Wholesaler.
- All invoices showing purchases of products must be kept on the licensed premises for a minimum of five years.
- All cigarettes in your premises must have a Washington Tax Stamp on the package.
- No single cigarette sales. This does not include individual cigarettes that are packaged and have a tax stamp.

RCW 82.26.080, RCW 82.26.170, RCW 70.155.040

These are the stamps for the State of Washington:



Sales of cigarettes from a machine:

- The machine must be located in a area that only 18 year and older people can access.
- The machine must be located at least 10 feet from any entrance.
- If you sell cigarettes from a machine, each machine must be licensed.
- The machine must have a minor warning sign on it.

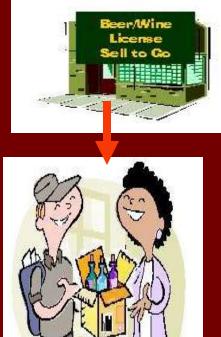
RCW 70.155

Internet Sales

The WSLCB does not have an Internet license. Before you make internet sales make sure that:

- Your liquor license must allow for off premises sales.
- You must have the required inventory on your premises.
- The sale of the alcohol must be from your premises.
- The sales of alcohol must be to persons over 21 only.





Internet Sales

The shipment can only be accepted by persons over 21.

- Each individual state (U.S.) and foreign countries regulate the shipment of alcohol into their borders. To protect yourself you must check with each government of the jurisdiction that you are shipping to for their regulations.
- You <u>should</u> ship the alcohol in a marked container which indicates that alcohol is inside.
- You must find a carrier that accepts alcohol shipments.

The End!

This is the end of your licensing briefing. If you have additional questions or want more information, please call your local liquor enforcement officer.

Please use the <u>attached form</u> and e-mail the completed form to:

EnfCustomerService@liq.wa.gov

Or mail the form to: WSLCB Enforcement

3000 Pacific AVE SE

Olympia WA 98504-3094